

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov

DOCKET**08-AFC-3C**

DATE MAY 17 2012

RECD. MAY 17 2012

**NOTICE OF RECEIPT****PETITION TO AMEND****THE ENERGY COMMISSION DECISION for the
MARSH LANDING GENERATING STATION PROJECT (08-AFC-3C)**

On May 14, 2012, GenOn Marsh Landing, LLC, filed a petition with the California Energy Commission requesting to modify the Marsh Landing Generating Station (MLGS) Project. The 760-megawatt project was certified by the Energy Commission on August 25, 2010, and is currently under construction. The facility is just north of the city of Antioch, in Contra Costa County.

DESCRIPTION OF PROPOSED MODIFICATION

The modifications proposed in the petition would modify Conditions of Certification **SOIL AND WATER-6** and **BIO-8**. Proposed changes to **SOIL AND WATER-6** would make the installation of the groundwater wells optional so that they may be installed in the future, if necessary, to meet project requirements. **BIO-8**, as approved in the Decision for this project, requires the project owner to make annual mitigation payments to an organization that will direct the money for use in mitigating the potential MLGS-specific and cumulative impacts of nitrogen deposition on sensitive species at the Antioch Dunes National Wildlife Refuge. **BIO-8** is being modified to incorporate changes at the request of the U.S. Fish and Wildlife Service, including changing who the recipient of mitigation payments is and adding habitat and species management activities for which the funding can be used.

ENERGY COMMISSION AMENDMENT REVIEW PROCEDURES

The purpose of the Energy Commission's review process is to assess the impacts of this proposal on environmental quality, public health and safety. The review process includes an evaluation of the consistency of the proposed changes with the Energy Commission's Decision and, if the project, as modified, will remain in compliance with applicable laws, ordinances, regulations, and standards (Title 20, Calif. Code of Regulations, section 1769). Energy Commission staff is currently analyzing the request and will publish an analysis in the near future. A public hearing for the purpose of approving or denying the amendment proposal will be held at a regularly scheduled Energy Commission business meeting.

This Notice of Receipt is being mailed to interested parties and property owners adjacent to the project site who may want to participate in the amendment process.

The petition is available on the Energy Commission's website at <http://www.energy.ca.gov/sitingcases/marshlanding/compliance/index.html>. The staff analysis, when published, will also be posted on the website. If you would like to

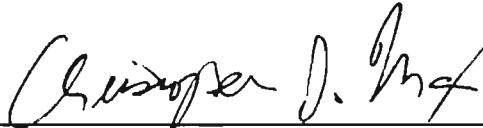
receive a hard copy of the petition and/or staff's analysis, please complete the enclosed Information Request Form and return it to the address shown.

If you have any comments or questions, please contact Christine Stora, Compliance Project Manager, at (916) 654-4745, or by fax to (916) 654-3882, or via e-mail at: christine.stora@energy.ca.gov.

For further information on how to participate in this proceeding, please contact the Energy Commission Public Adviser's Office, at (916) 654-4489, or toll free in California at (800) 822-6228, or by e-mail at publicadviser@energy.ca.gov. News media inquiries should be directed to the Energy Commission Media Office at (916) 654-4989, or by e-mail at mediaoffice@energy.ca.gov.

Date: _____

17 May 2012



CHRISTOPHER J. MARXEN, Manager
Compliance Office
Siting, Transmission & Environmental Protection
Division

Enclosure: Information Request Form

Mail List # 7299

INFORMATION REQUEST FORM

COMPLETE & MAIL TO: CALIFORNIA ENERGY COMMISSION
COMPLIANCE UNIT
ATTN: CHRISTINE STORA
1516 NINTH STREET, MS-2000
SACRAMENTO, CA 95814

OR FAX TO: (916) 654-3882

NAME AND/OR TITLE (AS IT IS TO APPEAR ON MAIL LABEL)

ORGANIZATION (IF APPLICABLE)

STREET ADDRESS OR P.O. BOX

CITY

STATE

ZIP CODE

PROPOSED AMENDMENT TO THE COMMISSION DECISION TO MODIFY CONDITIONS OF CERTIFICATION SOIL AND WATER-6 AND BIO-8.

PLEASE CHECK THE DOCUMENTS YOU WOULD LIKE TO RECEIVE:

- ☐ PETITION TO AMEND ☐ on CD (if available)
☐ STAFF ANALYSIS ☐ on CD (if available)

PROJECT: MARSH LANDING

DOCKET NO: 08-AFC-3C

MAIL LIST NO: 7299

☐ **PLEASE REMOVE MY NAME FROM THE (NAME OF PROJECT) PROJECT MAILING LIST**